ENTERED

May 07, 2019 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

D.R. b/n/f NICCOLE LEWIS; and	§	
NICOLE LEWIS, individually	§	
Plaintiffs.	§ §	
VS.	\$ \$ 8	CIVIL ACTION NO. 3:18–CV–00194
DEVEREUX ADVANCED	§	
BEHAVIORAL HEALTH	§	
Defendant.	§ s	
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ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On March 7, 2019, Defendant Devereux Advanced Behavorial [sic] Health's Motion to Dismiss for Plaintiff's Failure to State a Claim ("Devereux's Motion to Dismiss") (Dkt. 23) was referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 26. On April 17, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 29) recommending that Devereux's Motion to Dismiss (Dkt. 23) be **DENIED in part and GRANTED in part**.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); see also, FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 29) be **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) Devereux's Motion to Dismiss (Dkt. 23) be **DENIED** in part and **GRANTED** in part.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 7th day of May, 2019.

George C. Hanks Jr.

United States District Judge